

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

NVK SPINNING CO., LTD.,

Plaintiff,

v.

Case No.: 12-cv-2904-SHM-dkv

CARL G. NICHOLS III,

Defendant.

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

COMES NOW Plaintiff, NVK Spinning Co., Ltd., pursuant to Rule 56 of the Federal Rules of Civil Procedure, and moves for Summary Judgment on its claim that Defendant, Carl G. Nichols III, is individually and personally liable for the debts of his company, Silverleaf International LLC, based on the doctrine of piercing the corporate veil and/or successor liability; that there are no material facts in dispute; and that Plaintiff is entitled to judgment as a matter of law. In support of this Motion, Plaintiff relies upon the Statement of Undisputed Material Facts and Memorandum of Law in Support, submitted contemporaneously with this Motion.

Respectfully submitted,

s/Malcolm B. Futhey III
Malcolm B. Futhey III (TN 024432)
Allison Kay Moody (TN 025582)
FARRIS BOBANGO BRANAN PLC
999 S. Shady Grove Road, Suite 500
Memphis, Tennessee 38120
901-259-7100
901-259-7150 (facsimile)
mfuthey@farris-law.com
amoody@farris-law.com

-and-

PRYOR CASHMAN LLP
7 Times Square
New York, New York 10036
Of Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was forwarded by electronic means via the Court's Electronic Filing System to Defendant's counsel of record, Ralph T. Gibson, at ralph@batemangibson.com, on this the 1st day of April 2013.

s/Malcolm B. Futhey III